

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

AMERICAN FREE ENTERPRISE
CHAMBER
OF COMMERCE; and
MICHIGAN OIL AND GAS
ASSOCIATION,

Plaintiffs,

v.

LEE ZELDIN, in his official capacity
as the Administrator of the United
States Environmental
Protection Agency; UNITED
STATES ENVIRONMENTAL
PROTECTION
AGENCY; and UNITED STATES OF
AMERICA,

Defendants.

Case No. 1:25-cv-67

**DEFENDANT-INTERVENORS' MOTION TO DISMISS PURSUANT TO
FEDERAL RULES OF CIVIL PROCEDURE 12(b)(1) AND 12(b)(6)**

For the reasons stated in the accompanying brief, plaintiffs' Complaint should be dismissed (1) for want of Article III standing; (2) for want of a present, justiciable controversy, and (3) and for want of subject-matter jurisdiction.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I filed the foregoing via the Court's CM/ECF system, which will provide copies to all registered counsel of record.

Dated: April 30, 2025

/s/ Sean H. Donahue